

Leon County Citizen Charter Review Committee

PROPOSED AMENDMENT

Citizen Charter Review Committee

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AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF LEON COUNTY, FLORIDA, AMENDING THE HOME RULE CHARTER OF LEON COUNTY, FLORIDA; AMENDING ARTICLE V, HOME RULE CHARTER TRANSITION, AMENDMENTS, REVIEW, SEVERANCE, EFFECTIVE DATE; AMENDING SECTION 5.2, HOME RULE CHARTER AMENDMENTS; AMENDING SECTION 5.2(2) RELATING TO AMENDMENTS AND REVISIONS BY CITIZEN CHARTER REVIEW COMMITTEE; PROVIDING FOR A BALLOT QUESTION TO BE POSED TO THE LEON COUNTY ELECTORATE AT THE SPECIAL ELECTION ON _____; PROVIDING FOR THE BALLOT QUESTION FORM; PROVIDING FOR FUTURE AUTHORIZATION; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED by the Board of County Commissioners of Leon County, Florida,

that:

Section 1. Article V, Section 5.2 of the Home Rule Charter of Leon County, Florida,

is hereby amended to read as follows:

Sec. 5.2 Home rule charter amendments.

(1) Amendments Proposed by Petition.

(A) The electors of Leon County shall have the right to amend this Home Rule Charter in accordance with Sec. 4.1 of this Charter.

(B) Each proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each Charter amendment proposed by petition shall be placed on the ballot by resolution of the Board of County Commissioners for the general election occurring in excess of ninety (90) days from the certification by the Supervisor of Elections that the requisite number of signatures has been verified. If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified

1 in the amendment, or, if not so specified, on January 1 of the succeeding year.

2 **(2) Amendments and Revisions by Citizen Charter Review Committee.**

3 (A) A Citizen Charter Review Committee shall be appointed by the Board of County
4 Commissioners at least ~~twelve (12) months~~ fifteen (15) months before the general election
5 occurring every eight (8) years thereafter, to be composed and organized in a manner to be
6 determined by the Board of County Commissioners, to review the Home Rule Charter and
7 propose any amendments or revisions which may be advisable for placement on the general
8 election ballot. When making appointments to the Citizen Charter Review Committee, the
9 Board of County Commissioners shall attempt to include citizens from all segments of the Leon
10 County community, reflecting the different viewpoints, age, gender, life experiences, professions
11 and employment, race and ethnic backgrounds of the citizens in the County, and including
12 consideration of representation of students currently enrolled in institutions of higher education.
13 Public hearings shall be conducted as provided by Section 125.63, Florida Statutes.

14 (B) No later than ninety (90) days prior to the general election, the Citizen Charter
15 Review Committee shall deliver to the Board of County Commissioners the proposed
16 amendments or revisions, if any, to the Home Rule Charter,. Any proposed Charter amendment
17 or revisions that receives an affirmative vote of three-fifths (3/5) approval of the entire
18 membership of the Citizens Charter Review Committee shall be submitted to the County
19 Commission for its consideration to be placed on to the next general election ballot; and any
20 proposed Charter amendment or revision that receives four-fifths (4/5) approval of the entire
21 membership of the Citizens Charter Review Committee shall be placed directly on to the next
22 general election ballot by the County Commission, in accordance with Section 125.64, Florida
23 Statutes.

(C) If the Citizen Charter Review Committee does not submit any proposed Charter amendments or revisions to the Board of County Commissioners at least ninety (90) days prior to the general election, the Citizen Charter Review Committee shall be automatically dissolved.

(3) Amendments Proposed by the Board of County Commissioners.

(A) Amendments to this Home Rule Charter may be proposed by ordinance adopted by the Board of County Commissioners by an affirmative vote of a majority plus one (1) of the membership of the Board. Each proposed amendment shall embrace but one (1) subject and matter directly connected therewith. Each proposed amendment shall only become effective upon approval by a majority of the electors of Leon County voting in a referendum at the next general election. The Board of County Commissioners shall give public notice of such referendum election at least ninety (90) days prior to the general election referendum date.

(B) If approved by a majority of those electors voting on the amendment at the general election, the amendment shall become effective on the date specified in the amendment, or, if not so specified, on January 1 of the succeeding year.

Section 2. Ballot Question To Be Presented To Electorate.

The proposed amendments to the Home Rule Charter of Leon County, Florida, shall be presented to the qualified Leon County electorate by placing the question of whether to adopt same on the ballot at the special election to be held on _____.

Section 3. Ballot Question Form.

The question on the ballot shall be substantially in the following form:

**AMENDMENT TO HOME RULE CHARTER OF LEON COUNTY, FLORIDA
AS PROPOSED BY LEON COUNTY ORDINANCE NO. 2010-__**

Question

1 _____
2 _____
3 _____
4 Yes for Approval _____
5

6 No for Rejection _____
7

8 **Section 4. Further Authorization.**

9 The Board of County Commissioners of Leon County, Florida, is authorized to adopt all
10 resolutions and take all actions necessary in order for this Charter amendment referendum to be
11 properly placed on the ballot for the special election of _____. Said referendum
12 shall be conducted according to the requirements of law governing referendum elections in the
13 State of Florida.

14 **Section 5. Severability.**

15 If any word, phrase, clause, section or portion of this ordinance shall be held invalid or
16 unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a
17 separate and independent provision and such holding shall not affect the validity of the
18 remaining portions thereof.

19 **Section 6. Effective Date.**

20 This ordinance shall have effect upon becoming law, but shall be of no further force or
21 effect if the proposed Charter amendments are not duly approved at the
22 _____, special election. The amendments to the Home Rule Charter of
23 Leon County, Florida, as proposed by this Ordinance, shall become effective
24 _____, if the Charter amendment is approved by a “yes” vote by a majority
25 of those duly qualified electors voting on the question posed at the _____,
26 referendum.

1 DULY PASSED AND ADOPTED BY the Board of County Commissioners of Leon
2 County, Florida, this ____ day of _____, 2010.

3
4 LEON COUNTY, FLORIDA
5
6

7 By: _____
8 Bob Rackleff, Chairman
9 Board of County Commissioners
10

11
12 ATTESTED BY:
13 BOB INZER, CLERK OF THE COURT
14 LEON COUNTY, FLORIDA
15

16
17 By: _____
18 Clerk
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20
21 APPROVED AS TO FORM:
22 COUNTY ATTORNEY'S OFFICE
23 LEON COUNTY, FLORIDA
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26 By: _____
27 Herbert W. A. Thiele, Esq.
28 County Attorney